

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION

DENNIS STEVENSON,

Plaintiff,

v.

STATE OF GEORGIA; GSP; MR. BOBBITT;
and JONES,

Defendants.

CIVIL ACTION NO.: 6:20-cv-34

ORDER

Plaintiff, seeking to proceed *in forma pauperis*, brought this 42 U.S.C. § 1983 action. By Order dated April 8, 2020, the Court advised Plaintiff of the Prison Litigation Reform Act's procedures and requirements for filing and litigating prison civil rights suits. Doc. 3. The Court granted Plaintiff leave to proceed *in forma pauperis* and instructed him to sign and return the Consent to Collection of Fees from his Trust Account and the Prisoner Trust Fund Account Statement forms which were attached to the Court's Order. *Id.* The Court emphasized that Plaintiff must return these forms within 30 days from the date of the April 8, 2020 Order to proceed with this action. *Id.* at 3–4. Moreover, the Court made clear that, if Plaintiff did not timely respond to the Order, “the Court will dismiss Plaintiff’s case without prejudice for failure to prosecute and follow this Court’s Orders.” *Id.* at 4. The Court issued a Report on May 14, 2020, recommending the dismissal of Plaintiff’s cause of action because he failed to return the requisite forms to the Court within the allotted time. Doc. 4.¹

¹ The Court declines to vacate the Report and Recommendation at this time. However, should Plaintiff comply with the instructions in this Order, the Court will vacate that Report and Recommendation.

Plaintiff has provided a copy of his consent to collection of fees form. Doc. 5. However, Plaintiff did not provide the form for his prison trust fund account. Plaintiff was directed to use the forms which the Court attached to its prior Order. Doc. 3 at 5–7. Given that Plaintiff has attempted to comply with the Court’s prior Order, it will provide him with another opportunity to submit these forms.

The Court **DIRECTS** the Clerk of Court to send Plaintiff a copy of this Order and the Court’s prior Order, doc. 3, including the attached Prisoner Trust Fund Account Statement form. Plaintiff shall have **14 days** from the date of this Order to complete and return this form to the Court. **Should Plaintiff fail to complete and return this form within these 14 days, the Court will presume that Plaintiff does not intend to pursue this action and will dismiss this case without prejudice.**

SO ORDERED, this 29th day of May, 2020.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is written over a horizontal line.

BENJAMIN W. CHEESBRO
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA